

# Notice of Allowability

Application No.

10/762,806

Examiner

Carlos Lugo

Applicant(s)

SANDERS, VERNARD W.

Art Unit

3676

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment filed on July 11, 2005.
2. ☒ The allowed claim(s) is/are 1-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is in response to applicant's amendment filed on July 11, 2005.

#### ***Allowable Subject Matter***

2. **Claims 1-36 are allowed.**

#### **Reasons For Allowance**

3. The following is an examiner's statement of reasons for allowance:

Claims 1, 14 and 26 are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the cover plate straddle the opening of the channel on the astragal (Claim 1) and that the spring leaves forces the retaining rails to abut the retaining guides of the astragal while a part of the spring leave abut the bottom portion of the astragal (Claims 14 and 26).

Sanders (US 5,328,217) disclose an adjustable strike mounting system. The system comprises male fastener (33), female fastener (112) and positioning block (110).

The positioning block comprises a block and spring leaves (130). The block comprises a hole (124) and a chamber therein (Figure 15b). The chamber is adapted to receive and retain the female fastener therein (Figure 15b). The hole is adapted to receive the male fastener therethrough and mate with the female fastener within the chamber (Figure 16). The block is positioned in an astragal channel (Figure 16).

Nicholas (US 5,118,151) teaches that it is well known in the art to have an adjustable strike mounting system that includes a cover plate (3) and to have a positioning block (32) that includes opposing retaining rail (18).

However, Sanders '217, as modified by Nicholas, fails to disclose that the cover plate straddle the opening of the channel and that the spring leaves forces the retaining rails to abut the retaining guides of the astragal while a part of the spring leave abut the bottom portion of the astragal.

As to the cover plate, Nicholas teaches a cover plate (3), however, the cover plate is positioned over the doorframe, not straddle to an opening on the doorframe.

As to the spring leaves, Sanders '217 discloses that the block has spring leaves (130), however, the spring leaves do not abut against the bottom portion of the astragal (14). Sanders '217 uses the spring leaves (130) to prevent the nut (112) from slipping out of the block, not to abut against the bottom of the astragal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-272-7049.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C-L

Carlos Lugo  
AU 3676

September 22, 2005



**BRIAN E. GLESSNER**  
**PRIMARY EXAMINER**